



PO Box 840 • Kittery, Maine • 03904
Phone: 207-451-9279 Fax: 207-451-9319
www.easterntrailmanagement.org

**Board of Directors Meeting Notes
Wednesday, February 21, 2007
Kennebunk Town Hall**

Attendees:

Bob Hamblen, Saco; John Andrews, ETA; Dan Blanchette (non-voting member), Eliot; Harry Tomah, Wells; Terrence Parker, South Berwick; Bob LaNigra, ETA; Mike Claus, Kennebunk; Bruce Gullifer, Scarborough; and Steve Workman, Exec. Dir.

7 voting members needed for a quorum

Minutes taken and prepared by: Dan Blanchette
Board Approved: _____

I. Welcome & Introductions

- Bob Hamblen called the meeting to order at 8:40am

II. President's Report - none

III. Meeting Minutes

- Moved by Andrews and seconded by Tomah that the minutes of January 10, 2007 be accepted as written.
Approved (7)

IV. Agenda Items

A. Finances:

1. Finance report of Dec. 2006
2. Finance report of Jan. 2007

- Moved by Gullifer, seconded by Andrews, that the December 2006 and January 2007 Finance Reports be accepted as presented. [\[See Attachment IV.A.1 & 2 – December & January Finance Reports\]](#)
Approved (7)

- Discussion ensued on the time spent Workman spent as Ex. Dir. Verses Project Admin.

3. FY 05/06 Audit

- Workman completed work with R.H.R Smith for the 05/06 Audit. Smith has mailed out hardcopies of the final report; however, they did not arrive in time for the meeting. Instead Workman passed out copies of the electronic

version of the report that Smith sent him. There will be no difference between the electronic version and the hardcopy except the signature will be the original, not a facsimile. Workman stated the audit did not find any inconsistencies or concerns and recommended that it be accepted by the Board.

- Moved by Gullifer and seconded by Andrews that the Board accept the Review of Books for FY 05/06 conducted by R.H.R Smith & Company.

Approved (7)

4. Annual Report & Membership Fee 07/08

- A packet containing the membership fee letter, ETMD Membership Agreement and Annual Report was sent out to all municipal member councils/boards and budget committees the week of January 22. It was also sent to state representatives along the ET, the federal delegation, MDOT officials, and ECGA officials. Directors are asked to bring packets of the report back to deliver to their local conservation committees, Bike/Ped committees and to be made available for the general public. [\[See Attachment IV.A.4 – Membership Fee Letter\]](#)
- Blanchette reported that Eliot accepted the ETMD request to meet with the council and budget committee and that the meeting was scheduled March 15. Workman was asked by the Board to attend the meeting to represent ETMD issues. Hamblen and Andrews will also attend the meeting.

5. Federal Transportation Funding - FYI

- Last week, the House of Representatives passed a continuing resolution to approve federal government spending through the September 30 end of the current fiscal year. It is anticipated that the Senate will adopt this bill in the coming week, and President Bush has indicated he will sign it in to law before the current stopgap spending measure expires on February 15.

Under this continuing resolution, the federal transportation investments guaranteed under SAFETEA-LU will be honored at their full, guaranteed levels. This includes a record-setting \$9.0 billion federal transit program, with funding increases scheduled for all Federal Transit Administration (FTA) formula grant programs.

The increases in transportation spending are a welcome feature of this resolution, as most federal spending will be frozen at FY 2006 levels. Members of the House of Representatives should be thanked for their attention and consideration in honoring the SAFETEA-LU guarantees, as there has been much pressure to freeze transportation spending along with the rest of the domestic budget. Our friends at the American Highway Users Alliance, as well as other major transportation organizations, should be thanked for the extra efforts they made to assure that transit spending increases would be guaranteed.

A central feature of this resolution is its treatment of the thousands of projects with specifically designated spending, or "earmarks." These types of projects are handled differently in different parts of the bill. Many federal programs historically featured earmarks are slated to have federal agencies make their own funding determinations this year. In the federal transit program, the resolution very clearly directs FTA to honor the new fixed-guideway systems ("new starts") projects that were specifically authorized under SAFETEA-LU. It appears that the Section 5309 bus and bus facility projects specifically authorized for FY 2007 under SAFETEA-LU also will be funded under this resolution, but it is less clear how any remaining balances in the Section 5309 program would be distributed.

6. Impact Fees - FYI

- Impact Fees are a one-time fee paid by a developer when constructing a new facility or the expansion of capacity of an existing facility. There is a specific criterion by which the municipality can impose such a fee which compares increased usage of a municipal system with the cost to provide the increase capacity for that municipal system. I think this is important for the ETMD to be aware of because it, along with Contract Zoning, can be another way in which trail development can be supported in a local municipality. The ETMD may want to advocate strongly for impact fees that support local pedestrian and bicycle facilities. An example of a successful ET use of one of these tools was the construction of the Desfosses section of trail through Scarborough's Contract Zoning. I recently attended a seminar on Impact Fees conducted by SMRPC and have included some of that information with the agenda. For more information you may also go to the SMRPC site at www.smrpc.org. [\[See Attachment IV.A.6 – Impact Fee Information\]](#)

B - Executive Director Transition

1. Hiring Process Update

- The following ad was placed in the Portland Press Herald (Sunday state-wide edition):

The Eastern Trail Management District, a non-profit corporation comprised of participating municipal members and the Eastern Trail Alliance, seeks qualified candidates for the position of part-time Executive Director. The goal of the ETMD is to establish a four-season, multipurpose, transportation and recreation trail between Portsmouth, New Hampshire and South Portland, Maine. The Executive Director is responsible for leading the ETMD, administering its finances, trail operations, and our relationships with other agencies for support to build and maintain the Eastern Trail.

QUALIFICATIONS: B.A. or B.S. degree and 5 to 8 years experience leading people and managing budgets in an organization serving multiple constituencies. Candidates must be able to demonstrate personal and professional ability to affirm and uphold the values of the Eastern Trail. Resume and cover letter submitted to bhamblen@sacomaine.org is preferred. They may also be sent to:

*ETA-ETMD
P.O. Box 250
Saco, ME 04072.*

The application deadline is Feb. 23, 2007. The Eastern Trail Management District is an equal opportunity employer and does not discriminate in regard to race, sexual orientation or gender identity.

2. Executive Director Transition – ED Job Description

- Workman was asked to develop a job description for the ED position based on the work that he has been doing. The attached version is Workman's without any input from the subcommittee or Board. [\[See Attachment IV.B.2 – Executive Director Job Description\]](#) Hamblen reported that he was still working on a new version of the job description.

- In order to evaluate wages for a potential employee for ETMD the Board is asked to review the 2006 Maine Association of Non-Profit's "Report on Nonprofit Wages & Benefits in Northern New England". [\[Attachment IV.B.2 by Reference only – Wage & Benefits Report\]](#)

3. VA On the Job Training Program

- Claus reported that the program would be possible for the ETMD; however that the one candidate that was interested just took a different job and there is currently no one to fill his place.

4. Thank you Party for Workman

- To thank Steve Workman for his many accomplishments since way before the ETMD was founded and many successful projects since then, ETMD and ETA hosted a going away party in Steve’s honor. All past trustees of ETA or ETMD, friends of Steve, government officials, vendors, were welcome to attend. About 15 people showed up.

5. Executive Director Transition – Project Contract(s) with Workman

- Workman has been advised that the ETMD will contract with him to complete the OOB Project, Kittery Dennett Road Project and the Scarborough Close-out Project at his current contractual rate (52.50/hr). Each project will require its own contract in order to comply with MDOT policies that will allow ETMD reimbursement for project management. These will be sole-source contracts which mean under \$25,000 and therefore do not require ETMD to do a qualification based bid selection.

- 9:45 moved by Andrews and seconded by Tomah that the Board authorize the President to negotiate and enter into project specific contract agreements with Workman Management Consulting for the OOB Project, Kittery Dennett Road Project and the Scarborough Project Close-out.

Approved (7)

Trail Projects

1. – Scarborough Close-out

- All construction and remediation on the Scarborough Project has been completed since mid December. In mid January CPM Constructors provided support information that Workman had requested during the remediation to support the original coating order. That information has been provided to WSA and TYLN so to determine if CPM’s team followed our coating specifications. While the evaluation is being conducted Workman has been working with the WSA Team to resolve cross claim issues involving the engineering team so that when final negotiations with CPM are conducted ETMD will be better positioned to make its own determinations. WSA and TYLN positions on claims are being handled by executives within each company because of the high cost of the claims that are pending. There are several pending dates for conference calls, including February 14 and CPM has committed to meeting whenever we can assemble everyone during the final two weeks of February.

Balances being retained:

WSA (Engineering) \$18,392
 CPM (Construction) \$91,769

Claim totals – Provided as general reference – NOT to be taken as final concrete values or numbers

Total Change Orders to Project (less three pending claims includes topcoat claim)	\$191,020
Total increase to project cost not currently covered	\$47,873
Three pending claims (estimated value)	\$35-40,000
Liquidated Damages against CPM (86 days @ 325 per day)	\$27,950

2. OOB Project

- The construction bid documents package is almost complete. MDOT reserves a two-week review period for submittals; however, Andy MacDonald has indicated that he will do his best to turn things around faster to help us stay on our Spring construction schedule. While MDOT is reviewing documents, final preparation for bid advertisement, site meetings, bid opening, etc will be completed. Estimated time to release of the bid is two to three weeks – end of February/First of March.

- GSGT to date has elected not to respond with objection to or execution of the co-location agreement for this project. The agreement is identical to the previously executed on for the Scarborough Project. ETMD is moving forward with the project without this co-location agreement because we are not required by state or federal regulations to hold such agreement and we have met all other notifications and plan submittals; in fact, we have followed the terms of the co-location despite the lack of an executed agreement. I expect that GSGT will move on the execution once they see us moving forward and as always I believe the ETMD's position should be one of willingness to enter into this agreement and work with GSGT rather than against.

3. Kittery Dennett Road Project

- Workman has held preliminary meetings with Kittery Town Manager, Jon Carter and Public Works Director, Rick Rossiter regarding the construction of this project in the spring and summer. The project was conceived to utilize the Kittery DPW Force because of significant cost savings. Rossiter reported that he would put the project into his spring/summer work plan and that work would proceed as appropriate. This is a federal/state funded project so all the normal requirements exist including public hearings. ETMD will have to justify the use of the public works force before it will be allowed to use it which is standard protocol and not hard to justify given the cost savings provided by Kittery DPW. After approval ETMD will contract with Kittery just as it would with any other construction company

D. Trail for a Healthy Maine Bond

The following was provide by Andrews by email dated 1-31-07

- Background - A successful 2007 Trails for a Healthy Maine Bond is looking up. During the past two weeks we've realized the need by comparing THM efforts to some of the other bond efforts in particular, the new-in-2007 Riverfront Bond Coalition. Jeff Miller, Executive Director of Bicycle Coalition of Maine (BCM), and I attended Riverfront's State House press conference earlier this month. We left convinced THM must do the same. In pursuit of that goal we realize THM needs the support of a professional lobbyist. As one duty, the lobbyist would organize the press conference. Jeff found, and recommended a candidate. He and I interviewed Lauralee Raymond Jeff's candidate lobbyist. Her proposal and resume are attached. (Later in the day Senate President Beth Edmonds endorsed Lauralee's professional skill.)

- THM Progress - Following the THM Steering Committee meeting, I visited the State House where I was able to speak with more than 7 members of the Legislator and State Treasurer David Lemoine. (As an OOB attorney David was key to receiving a 1-mile trail easement from CMP.) I had lunch with three of legislators including Rep Chris Babbage (D-Kennebunk) and Walter Wheeler (D-Kittery). Later, I asked Rep. Linda Valentino (D-Saco) who serves on the Appropriations Committee if she would serve as THM lobbyist within

her committee. Linda has long supported the THM Bond and the ET. This is her second term in the Legislature and her first on Appropriations. The THM final success: Jeff arranged a 15-minute meeting with Senate President Beth Edmonds in her office where she shared her thoughts on how we can succeed with THM.

Last week BCM's Board voted to provide significant funding for the lobbyist, IF THM supporters can raise \$10K in pledges before February 8th, next Thursday. THM needs support from any source including: trail organizations, foundations, individuals and YOU. We need your help obtaining pledges in any amount.

- Jeff Miller's Perspective on 2007 THM Success - In 2005 legislative session we made it much further than most asked with a favorable vote from the Transportation Committee (8-2) before it was killed in the Appropriations Committee (along with over 95% of the bonds due to a particularly vicious politically charged session that had more to do with Gubernatorial politics than anyone expected). This year several more things are going in our favor. It is expected that as much as \$300 million in bonds is likely to be approved (based on broadly excepted guidelines about indebtedness). The Chairman of the Transportation Committee (Senator Denis Damon) is the Sponsor of the bond and 1/2 of the Transportation Committee are signed on as co-sponsors. Building on our successes of 2005, we now have nearly 200 endorsing organizations and businesses. However, we also realize with well over \$1 Billion of bonds proposed we have a uphill battle to get the Trails Bond approved by the legislature and out to Maine voters. We also realize that our collective lobbying experience and ability is very limited and that to get a bond of this size we need to get smarter and more serious and have a lobbyist representing us at the statehouse. We have an excellent prospect with Moose Ridge Associates and their extremely well known and well regarded lobbyist Lauralee Raymond.

10:24 Moved by Andrews and seconded by Claus that EDTM pledge \$500 to the cause.

Approved (7)

- Directors were asked to distribute the THM Endorsement Form and get their town to endorse it if they haven't already. [[See Attachment IV.D – THM Endorsement Form](#)]

IV.C Continued

4. Wells Project Proposal

- Workman presented his finding from a recent site walk of the trail corridor in Wells. [[Attachment IV.C.4 Wells Field Report](#)]

5. Trail Easement Subcommittee

- The easement subcommittee has held its first meeting. [[See Attachment IV.C.5 – Minutes](#)]

VII. Adjourned at 10:47



Kennebunk Savings Bank
MEMBER FDIC

104 Main Street, P.O. Box 28
Kennebunk, ME 04043-0028
207-985-4903 or 1-800-339-6573

*263745072*****5-DIGIT*03904

EASTERN TRAIL MANAGEMENT DIST
PO BOX 840
KITTERY ME 03904-0840

30
0
4



ACCOUNT: 66452956

12/01/06 THRU 12/29/06

=====
BUSINESS ADVANTAGE ACCOUNT 66452956
=====

LAST STATEMENT 11/30/06 27,138.40
1 CREDITS 31,691.29
4 DEBITS 2,831.19
THIS STATEMENT 12/29/06 55,998.50

*Agrees with Q.B
2/13/07 J.M*

DESCRIPTION
StateofMaine CLN PAYMENT 06122600153

OTHER CREDITS - - - - -
DATE AMOUNT
✓ 12/28 31,691.29

CHECKS - - - - -
CHECK #..DATE.....AMOUNT CHECK #..DATE.....AMOUNT CHECK #..DATE.....AMOUNT
✓ 1215 12/06 195.81 ✓ 1217 12/14 50.00
✓ 1216 12/11 26.00 ✓ 1218 12/06 2,559.38

DAILY BALANCE - - - - -
DATE.....BALANCE DATE.....BALANCE DATE.....BALANCE
12/06 24,383.21 12/14 24,307.21
12/11 24,357.21 12/28 55,998.50

EASTERN TRAIL MANAGEMENT DISTRICT 1215

DATE 12/14/06

PAY TO THE ORDER OF Link's \$195.81

One Hundred Ninety Five & 81/100

FOR DEPOSIT ONLY

Signature: *Daniel J. Blanchette*

⑆00001215⑆ 66 452956 ⑆000019581⑆

Paid 12/6/2006 Check #1215 \$195.81

EASTERN TRAIL MANAGEMENT DISTRICT 1216

DATE 12/14/06

PAY TO THE ORDER OF WVA County Registry of Deeds \$26.00

Twenty Six & 00/100

FOR DEPOSIT ONLY

Signature: *Daniel J. Blanchette*

⑆00001216⑆ 66 452956 ⑆000002600⑆

Paid 12/11/2006 Check #1216 \$26.00

EASTERN TRAIL MANAGEMENT DISTRICT 1217

DATE 12/14/06

PAY TO THE ORDER OF American Trails \$50.00

Fifty & 00/100

FOR DEPOSIT ONLY

Signature: *Daniel J. Blanchette*

⑆00001217⑆ 66 452956 ⑆000005000⑆

Paid 12/14/2006 Check #1217 \$50.00

EASTERN TRAIL MANAGEMENT DISTRICT 1218

DATE 12/14/06

PAY TO THE ORDER OF Wetman Management Consulting \$2,559.38

Two Thousand Five Hundred Fifty Nine & 38/100

FOR DEPOSIT ONLY

Signature: *Daniel J. Blanchette*

⑆00001218⑆ 66 452956 ⑆0000255938⑆

Paid 12/6/2006 Check #1218 \$2,559.38

Eastern Trail Management District
Reconciliation Detail
Checking Account, Period Ending 12/29/2006

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						27,138.40
Cleared Transactions						
Checks and Payments - 4 items						
Check	12/4/2006	1216	York County Registr...	X	-26.00	-26.00
Check	12/4/2006	1217	American Trails	X	-50.00	-76.00
Check	12/4/2006	1218	Workman Consulting	X	-2,559.38	-2,635.38
Check	12/4/2006	1215	FedEx Kinko's	X	-195.81	-2,831.19
Total Checks and Payments					-2,831.19	-2,831.19
Deposits and Credits - 1 item						
Deposit	12/28/2006			X	31,691.29	31,691.29
Total Deposits and Credits					31,691.29	31,691.29
Total Cleared Transactions					28,860.10	28,860.10
Cleared Balance					28,860.10	55,998.50
Uncleared Transactions						
Checks and Payments - 1 item						
Check	12/27/2006	1219	Milone & MacBroom		-18,604.66	-18,604.66
Total Checks and Payments					-18,604.66	-18,604.66
Total Uncleared Transactions					-18,604.66	-18,604.66
Register Balance as of 12/29/2006					10,255.44	37,393.84
Ending Balance					10,255.44	37,393.84



Kennebunk Savings Bank
MEMBER FDIC

104 Main Street, P.O. Box 28
Kennebunk, ME 04043-0028
207-985-4903 or 1-800-339-6573

*08B611841*****3-DIGIT*SCH*038

EASTERN TRAIL MANAGEMENT DIST
PO BOX 840
KITTEERY ME 03904-0840

67
0
0



ACCOUNT: 24144856

09/30/06 THRU 12/29/06

ANNUAL DISCLOSURE NOTICE

*** Privacy Policy and Retail Disclosure & Cardholder Agreement ***
Enclosed are two (2) important documents sent to you
each year in compliance with Federal Banking Regulations.

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BUSINESS PREMIUM MM ACCOUNT 24144856

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INTEREST THIS STATEMENT	8.37	LAST STATEMENT 09/29/06	6,716.81
INTEREST PAID 2006	106.02	3 CREDITS	8.37
		DEBITS	.00
		THIS STATEMENT 12/29/06	6,725.18

- - - - - OTHER CREDITS - - - - -

DESCRIPTION	DATE	AMOUNT
INTEREST	10/31	2.94
INTEREST	11/30	2.76
INTEREST	12/29	2.67

Agrees w/ QB 1/9/07 SM

- - - - - DAILY BALANCE - - - - -	
DATE.....BALANCE	DATE.....BALANCE
10/31 6,719.75	11/30 6,722.51
	12/29 6,725.18

Eastern Trail Management District
Reconciliation Detail
Money Market, Period Ending 10/29/2006

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						6,716.81
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	12/29/2006			X	8.37	8.37
Total Deposits and Credits					8.37	8.37
Total Cleared Transactions					8.37	8.37
Cleared Balance					8.37	6,725.18
Register Balance as of 10/29/2006					8.37	6,725.18
Ending Balance					<u>8.37</u>	<u>6,725.18</u>

*Agrees w/ Statement
1/9/07 DM*



Kennebunk Savings Bank
MEMBER FDIC

104 Main Street, P.O. Box 28
Kennebunk, ME 04043-0028
207-985-4903 or 1-800-339-6573

*042305052*****5-DIGIT*03904

EASTERN TRAIL MANAGEMENT DIST
PO BOX 840
KITTEERY ME 03904-0840

30
0
4



ACCOUNT: 66452956

12/30/06 THRU 01/31/07

=====

BUSINESS ADVANTAGE ACCOUNT 66452956

=====

LAST STATEMENT 12/29/06 55,998.50
CREDITS .00
4 DEBITS 23,849.47
THIS STATEMENT 01/31/07 32,149.03

Agrees with CB statement 8/11/07

CHECKS			CHECKS			CHECKS		
CHECK #	DATE	AMOUNT	CHECK #	DATE	AMOUNT	CHECK #	DATE	AMOUNT
✓ 1219	01/08	18,604.66	✓ 1221	01/11	2,216.88			
✓ 1220	01/22	461.99	✓ 1222	01/22	2,565.94			

DAILY BALANCE		DAILY BALANCE		DAILY BALANCE	
DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
01/08	37,393.84	01/11	35,176.96	01/22	32,149.03

EASTERN TRAIL MANAGEMENT DISTRICT 1219

DATE: 1/8/07

PAY TO THE ORDER OF: *Miles & McBeaver*

FOR DEPOSIT ONLY: *Western Insurance Co. of America*

AMOUNT: \$18,604.66

Signature: *David J. ...*

Paid 1/8/2007 Check #1219 \$18,604.66

EASTERN TRAIL MANAGEMENT DISTRICT 1220

DATE: 1/10/07

PAY TO THE ORDER OF: *Lawrence Police Department*

FOR DEPOSIT ONLY: *Bank of America*

AMOUNT: \$461.99

Signature: *David J. ...*

Paid 1/22/2007 Check #1220 \$461.99

EASTERN TRAIL MANAGEMENT DISTRICT 1221

DATE: 1/11/07

PAY TO THE ORDER OF: *William Conway*

FOR DEPOSIT ONLY: *Western Insurance Co. of America*

AMOUNT: \$2,216.88

Signature: *David J. ...*

Paid 1/11/2007 Check #1221 \$2,216.88

EASTERN TRAIL MANAGEMENT DISTRICT 1222

DATE: 1/12/07

PAY TO THE ORDER OF: *Workman Consulting*

FOR DEPOSIT ONLY: *Bank of America*

AMOUNT: \$2,565.94

Signature: *David J. ...*

Paid 1/22/2007 Check #1222 \$2,565.94

Eastern Trail Management District
Reconciliation Detail
Checking Account, Period Ending 01/31/2007

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						55,998.50
Cleared Transactions						
Checks and Payments - 4 items						
Check	12/27/2006	1219	Milone & MacBroom	X	-18,604.66	-18,604.66
Check	1/9/2007	1221	Workman Consulting	X	-2,216.88	-20,821.54
Check	1/10/2007	1220	Scarborough Public ...	X	-461.99	-21,283.53
Check	1/17/2007	1222	Workman Consulting	X	-2,565.94	-23,849.47
Total Checks and Payments					-23,849.47	-23,849.47
Deposits and Credits - 1 item						
Check	2/21/2007	1229	Daniel Blanchette	X	0.00	0.00
Total Deposits and Credits					0.00	0.00
Total Cleared Transactions					-23,849.47	-23,849.47
Cleared Balance					-23,849.47	32,149.03
Uncleared Transactions						
Checks and Payments - 2 items						
Check	1/29/2007	1223	Workman Consulting		-3,844.33	-3,844.33
Check	1/29/2007	1225	Johnson Printing & ...		-294.00	-4,138.33
Total Checks and Payments					-4,138.33	-4,138.33
Total Uncleared Transactions					-4,138.33	-4,138.33
Register Balance as of 01/31/2007					-27,987.80	28,010.70
New Transactions						
Checks and Payments - 4 items						
Check	2/20/2007	1227	Johnson Printing & ...		-294.00	-294.00
Check	2/20/2007	1226	Workman Consulting		-3,026.06	-3,320.06
Check	2/21/2007	1228	Robert Hamblen		-607.60	-3,927.66
Check	2/21/2007	1230	Daniel Blanchette		-50.00	-3,977.66
Total Checks and Payments					-3,977.66	-3,977.66
Total New Transactions					-3,977.66	-3,977.66
Ending Balance					-31,965.46	24,033.04



PO Box 840 • Kittery, Maine • 03904
Phone: 207-451-9279 Fax: 207-451-9319
www.easterntailmanagement.org

January 19, 2007

John Bubier
Biddeford City Hall
205 Main Street
Biddeford, Maine 04005

Dear John,

Please accept this letter as an official request for the City of Biddeford to appropriate \$5,000 for its 2007-08 membership fee in the Eastern Trail Management District. This represents a zero percent increase since fiscal year 2003. The ETMD is sensitive to the challenging economic times and is working to keep increases to a minimum. However, with eight miles of trail constructed and open to the public and another 15 miles in final engineering and construction, the ETMD must address the cost of trail maintenance and inflationary costs impacting our operating budget (insurance, labor, materials, etc.).

The ETMD is also asking each member community to appropriate an additional \$1,000 for a trail maintenance reserve fund. It is common practice for municipalities to use reserve accounts to prepare for future high cost expenditures. The ETMD proposes to adopt this practice and create a maintenance reserve fund so that it can meet current needs while slowly building a reserve for both emergency and expanded future maintenance costs. Currently, the ETMD has no reserve funds; its annual operating budget provided by member communities is generally depleted by the end of the fiscal year. If the current course is maintained, the ETMD and member municipalities are in jeopardy of defaulting on their shared maintenance obligations because of lack of funding. It will not be possible for the ETMD to continue to operate under a zero percent increase in future years. However, we feel steps like the establishment of the maintenance reserve fund and in-kind services from municipalities will help to minimize future increases.

Responsibility for trail maintenance, like trail construction, was originally conceived and memorialized in the Membership Agreement for the Eastern Trail Management District [copy enclosed] as the responsibility of the District. At the time that the agreement was negotiated, presented to the municipalities and adopted it was fully understood that the ETMD was to carry out its duties on behalf of the municipalities, not independent of them. The municipalities recognized that sharing the burden amongst 12 communities would significantly reduce the cost that any one municipality would have to pay if it was to construct and maintain its own section of trail independently. To that end the municipalities recognized that there would be rising costs associated with the expanding trail system; however, that it could help to reduce the amount of direct financial contribution by providing in-kind services when appropriate. An example would be the Town of Scarborough which has appropriated over \$200,000 in additional funds for construction and maintenance and countless hours of in-kind services helping the ETMD to construct and maintain the trail.

Our goal is to construct the 55 miles of off-road trail from Kittery to South Portland. To date we have completed trail in Scarborough, on-road improvements in South Berwick and the City of South Portland has constructed most of its section. We have secured funds for additional construction through 2009 in Scarborough, Old Orchard Beach, Saco,

Arundel • Biddeford • Eastern Trail Alliance • Eliot • Kennebunk • Kittery • North Berwick
Old Orchard Beach • Saco • Scarborough • South Berwick • South Portland • Wells
Bob Hamblen, President • John Andrews, Vice President • Harry Tomah, Secretary & Treasurer
Steve Workman, Executive Director

Biddeford, Arundel, Kennebunk and Kittery. We are currently looking for funds to pay for additional construction in Wells, the Scarborough-South Portland Connector and to undertake the Kittery, Eliot, York, and South Berwick Gap Study.

As we begin the New Year we are asking members to ensure that they have a director and alternate appointed to represent them on the ETMD Board and that such persons are fulfilling their obligations. Currently, your director is Dan Letellier with an attendance record of 5 out of 12 meetings for calendar year 2006. Your alternate is Jeremy Hargreaves with an attendance record of 0 out of 12 meetings for calendar year 2006.

A secure coalition of municipalities is vital to the success of the ETMD. Your annual contribution leverages federal and state funds that we have been told would not have been possible without this collaboration. The ETMD does not seek general construction funds from its municipal members; this money instead comes from federal and state sources. The commitment that we make to secure these funds is that we will manage the project and that we will maintain completed projects for a minimum of 20 years. Your annual contribution goes primarily toward these two categories and without it we would not be in a position to accept the awards. The benefit to each municipality to maintain the ETMD to plan, construct and maintain the Eastern Trail is significant. Together, we can realize the Eastern Trail and provide our residents with this transportation and recreation opportunity that will last for generations to come. Enclosed you will find our 2006 Annual Report, with information about what the ETMD has been doing on your behalf.

Please accept this as an official request to also meet with your council/board and budget committee to further discuss appropriation of the membership fee and the trail maintenance funds. In the meantime, I encourage you to contact me directly with any questions or concerns.

Sincerely,

Robert Hamblen
ETMD President

Saco City Planner
300 Main Street
Saco, Maine 04072
207-282-3487
bhamblen@sacomaine.org

encl.

Eastern Trail Management District Executive Director Responsibilities

I. General

The Executive Director is responsible for the day-to-day operation of the District and the Eastern Trail. District duties generally occur Monday-Friday, but require a combination of day and evening hours. The Trail is in operation year-round, 7 days per week, and 24 hours per day which has the potential to create additional night and weekend obligations. The following tasks outline the ED position; however, additional tasks will be required as assigned by the ETMD President as situations require.

II. Skill Requirements

A. General

- Strong verbal & written skills
- Facilitation skills
- Effective organizational skills
- Mediation skills
- Knowledge of government systems; especially municipal
- Valid driver's license
- MDOT Certified Local Project Administrator (project management only)

B. Computer

- Microsoft Office: Word, Excel, PowerPoint
- Adobe Acrobat
- QuickBooks
- Preferred: Adobe PageMaker, Illustrator or equivalent, MS Project

C. Physical

Able to walk on road and off-road surfaces for medium to long distances
Able to operate tools used for minor maintenance: chainsaw, rake, shovel, etc.
Able to lift low to medium weight items

II. Administration

A. Corporate Care

- Prepare & file annual report for State of Maine
- Insure compliance with By-Laws & policies; propose revision as necessary
- File other legal paperwork as may be necessary from time to time
- Maintain District records

B. Board of Directors

- Maintain Board of Directors and Alternates Directory
- General board communications
- Attend board meetings
- Prepare meeting agendas and take & type meeting minutes
- Attend and provide support to subcommittee meetings as necessary
- Secure and setup/cleanup meeting sites
- Mediate Board (director) concerns with applicable policies, procedures, realities, etc.

C. Finances

- Manage bank accounts (signature cards, corporate resolutions, open/close research types of accounts, etc)
- Management Accounts Payable and Accounts Receivables
- Track all District finances using QuickBooks
- Prepare annual operating budget
- Prepare monthly reconciliation and finance reports
- Coordinate the annual audit/agreed upon procedures with contracted auditors
- File all necessary paperwork with the IRS & Maine State Revenue Service
- Develop a long range financial plan for the District including reserve accounts and forecasts
- Make financial recommendations to the Board
- Research and apply for grants for operating expenses and projects
- Research endowment or other long-term support options for the trail
- Manage annual membership fee process

D. Operation

- Draft policies to govern all aspects of District operation as needed
- Implement and track progress of ETMD Strategic Plan
- Hold regular meeting with the president
- Maintain District Insurance
- Remain current on government policy or legislation that could impact the District or Trail and make recommendations to the Board for appropriate action.
- Facilitate maintenance and update of the ETMD website
- Coordinate and oversee professional and volunteer work being done to further the objectives of the District

III. Trail Management

- Develop, revise, and implement the Trail Management Plan
- Perform inspection of trail facilities and appurtenances on a quarterly basis during off-season & monthly during peak season.
- Research and evaluate materials and methods for trail construction, maintenance and management
- Purchase services, equipment and materials for trail maintenance
- Coordinate and oversee all maintenance Work (municipal, professional and volunteer)
- Undertake minor maintenance tasks such as sign replacement, brush/debris clearing, spot painting, etc.
- Maintain relationship with landowners and utility companies
- Work with law and rescue agencies to insure adequate coverage for the trail
- Respond to trail user issues

IV. Trail Project Planning

- Perform site visits and gather data so that Trail segments can be evaluated to gauge scope and readiness
- Develop evaluation criteria for potential projects
- Right of Way negotiations
- Utility negotiations
- Secure funding for projects
- Conduct public/user workgroups as necessary to support project viability

V. Advocacy

- Prepare the ETMD State of the Trail Annual Report
- Maintain and work with the Eastern Trail Alliance
- Mobilize ET members and advocates to support the Trail as necessary
- Maintain relationship with the East Coast Greenway Alliance
- Meet with local, state and federal officials to advocate for support of trail initiatives
- Attend municipal council and board meetings to report progress and advocate for District & Trail needs
- Participate in local and state transportation planning initiatives
- Participate in local and state trail advocacy (coalition) initiatives
- Work with and support trail initiatives that connect or will increase the capacity of the Eastern Trail
- Develop and maintain public relation materials for the ETMD and Trail

VI. Construction Project Management

The role of the project manager is best described as the total management of all aspects of the project from kick-off to closeout. The PM is the hub through which all other parties (MDOT, ETMD, Contractors, Consultants, etc.) should work through. Tasks increase and decrease according to the unique nature of each project.

- Negotiate MDOT Project Agreement
- Develop project budget
- Finalize ROW issues/agreements
- Utility communication and certification (non-effected utilities)
- Utility coordination and negotiation (effected utilities)
- Develop qualification based bid for engineering services
- Develop (low cost) bid for construction services
- Manage bid process; evaluate bids, interview potential consultants
- Supervise and coordinate all consultant work

- Coordinate and facilitate public meetings/hearings
- Function as liaison between MDOT, consultants, contactors and the Board
- Track and approve all project related expenditures
- Invoice MDOT for reimbursement of all qualifying project expenses
- Develop and submit required MDOT reports
- Coordinate and facilitate project meetings
- Respond to daily consultant questions about design and construction
- Provide on-sight supervision (when appropriate) and inspections (some technical) of all construction work
- Work with engineers on all aspects of permitting
- Coordinate design and construction issue with the local municipality
- Coordinate legal work
- Landowner (abutter) relations – communication, special situations, mediation, etc.
- Maintain project records

Eastern Trail • Well Project Summary

Meeting House Road (northern crossing) north to Chick Crossing Road			
Length: Approximately 1.5 miles	Study Segment(s): 9	Major Structures: None	# of Road Crossings: 3
Rails/Tracks in Place: No	# of Significant wet areas: 3	Environmental: Potential jurisdictional wetlands noted in feasibility study on both sides of crossing at Clark Road and North side of Meetinghouse Road.	
Rigth-of-Way: Ownership of this parcel is not clear at this time, but appears to be owned in fee by Granite State Gas. Additional search of Wells tax maps should be done.		Trail Head Parking: No parking designated in Feasibility Study for Chick Crossing Road. Available land is limited at this crossing; possible room for a few spaces. No parking designated in Feasibility Study for Meeting House Road. Potential on-road parking along Chick Crossing Rd prior to its connection with Mtng House. Would require significant ramp to get users from parking down to trail	
General Conditions Summary: This section of trail has a stable base in most places. Plant growth is generally outside the area that would be required for a 12' trail with shoulders. The southern section of this project has significant uneven ground creating peaks and valleys. There is little in the way of significant ponding on the trail itself, but there is a significant amount of water present and moving generally in a northern direction along the trail. Initial observation suggests that most water issues could be managed by creating a series of ditches and swales along the sides of the trail. Some culver/basin upgrades would likely be required at road crossings.			

Construction & materials		\$	
		181,000.00	
		\$	
Engineering	Includes final design process & construction oversight	32,580.00	
		\$	
Environmental (15%)	Study, permitting, mitigation	27,150.00	
		\$	
Traffic & Utilities (35%)	Signage, crossings, signals, parking, utilities	63,350.00	
		\$	
	Subtotal	304,080.00	
		\$	
Contingency	20% of subtotal - higher to include gas company requirements	60,816.00	
		\$	
Inflation	15% of subtotal - cost estimates from 2000	45,612.00	
		\$	
Project Administration	5% of subtotal	15,204.00	
		\$	
	Grand Total	425,712.00	

**Eastern Trail Management District
Minutes of Easement Subcommittee Meeting
Feb. 8, 2007**

Attachment IV.C.5

Attendees:

Members: John Andrews, Bob LaNigra, Bob Hamblen and Aaron Shields

Absent: Joe Kline

1. Review of Easement Subcommittee Task and History of Previous Easements:

- * John reviewed the history of easements in general and his previous emails summarizing his perspective on which easements are needed to build the ETA. Two priorities were identified, as shown below.
- * The conceptual trail corridor options map for the Scarborough section between the Desfosses trail and Wainwright Rec. Complex in SP was reviewed. Since all three options are dependent on getting an Easement from the Sanborn family, we will concentrate our initial efforts there.

2. Sanborn Property in Scarborough:

- * John explained that he had discussions with the Sanborn family, several years ago, and that Mark Sanborn, who represents the family, was receptive to discussing an easement. Ownership of the land is shared by 5 or 6 cousins, which could create a problem.
- * It was agreed that John and Bob will contact Mark Sanborn and try to meet with him when he next visits his company in Portland. He resides in MA.
- * Bruce Gullifer of the Scarborough Community Svcs. will be notified of our plans and we will look for any input or assistance he may provide.
- * An attorney will be needed once an easement is agreed upon.
- * Depending on the outcome of the meeting, we will then have to decide whether the trail should proceed along the recommended Option 3 Eastern RR Corridor or be diverted along the scenic Option 4 Hannaford route.

3. Granite State GT/NiSource Corp. Easements from Biddeford to Kittery:

- * Discussions with GSGT/NSC have lapsed for many years and must be resumed. Most of the people that John and Steve Workman have previously contacted are probably no longer in the same positions.
- * John will talk with Steve to get an up-date on his contacts with GSGT/NSC. John also will call someone he knows that has gotten approvals from NSC for easements in the Midwest, where NSC is located. If they can grant easements for trails in the Midwest, they should be receptive to easements here.
- * John and Bob will contact GSGT/NSC at some point to discuss easements for the sections from Biddeford to Kittery. This section is the longest and would account for the majority of trails needing easements.

4. Adjournment:

- * Next meeting may be scheduled at the end of an ETMD meeting. In the interim, we will communicate via email.

Submitted by: R.M. LaNigra—Dated Feb. 8, 2007



Trails for a Healthy Maine

Trails for a Healthy Maine is a coalition of organizations and agencies who wish to promote shared-use trails in Maine for health, economic development, and improved quality of life in our communities. We ask for your endorsement.

Purpose: to develop shared-use trails that link communities across Maine and:

- Promote physical activity and a healthier lifestyle
- Support sustainable tourism and a healthier economy
- Provide transportation choice
- Connect to the East Coast Greenway, through Maine to Florida
- Encourage local trail growth & connections
- Make our communities more attractive places to live

Need: We need to dramatically increase funding if we want to see trails developed in our lifetime. Trails already on the Maine DOT/DOC 'drawing board' will take between 75 and 100 years to complete at current funding levels.

Why a Bond? A Trails for a Healthy Maine Bond will provide needed funding to build key trail segments to achieve this purpose. Funds would not purchase land or right-of-way but be used to supplement inadequate state and federal funding for design and construction of shared-use trails.

Please show your support and complete this endorsement form today!



We support the purpose of Trails for a Healthy Maine, and are pleased to have our name listed among supporters for a state bond issue.

Organization / Business Name

Signature

Date

Name printed

Email Address

Web Address (for a link from our website)

Name of trail advocate who solicited your support

Legislative District if known

Please return this form to:
Bicycle Coalition of Maine, P.O. Box 5275, 341 Water Street, Augusta, ME 04332
or fax it to 623-4511

**FMI call the Bicycle Coalition of Maine: 623-4511
or visit www.TrailsforaHealthyMaine.org**